

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA  
TERRE HAUTE DIVISION

IN RE: CASE NO. 16-80628-JJG-13  
DAVID E. TALADAY  
DIANA TALADAY  
Debtors.

MOTION OF STANDING TRUSTEE TO DISMISS CASE

Comes now, Donald L. Decker, the standing trustee, and shows the Court as follows:

1. Debtor filed a Petition for Relief under Chapter 13 of the Bankruptcy Code on September 15, 2016, and an Order for Relief was entered.
2. Debtor has failed to commence making payments proposed by the plan to the Trustee under 11 U.S.C. § 1326 or has otherwise failed to comply with terms of the plan to the extent of an arrearage of \$2,935.74 as of the end of December 31, 2016.
3. The best interest of creditors and the estate would be served by dismissal of this case.

NOW, THEREFORE, the Standing Trustee prays that the Court enter an order dismissing this case, and that upon the Trustee's filing his Final Report and Accounting, that the Trustee, Donald L. Decker, be discharged as trustee of the estate and the bond cancelled, and for such other relief as may be lawful and proper.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to dismiss your case, or if you want the court to consider your views on the motion, then on or before January 26, 2017, you or your attorney must file with the court a written objection explaining your position.

Those not permitted to file electronically must deliver any objection by U.S. mail, courier, overnight/express mail, or in person at:

352 Federal Bldg  
101 NW M.L. King Jr. Blvd  
Evansville, IN 47708

If you mail your objection to the court, you must mail it early enough so the court will **receive** it on or before the date stated above.

If you or your attorney do not take these steps, the court may decide that you do not oppose the dismissal of your case and may enter an order granting that relief.

Dated: January 5, 2017

/s/ Donald L. Decker, Chapter 13 Trustee  
P.O. Box 9237  
Terre Haute, IN 47808-9237  
Phone: (812) 234-2600  
Fax: (812) 234-2666  
E-mail: ddecker@decker13trustee.com

CERTIFICATE OF SERVICE

I hereby certify that on January 5, 2017, a copy of the foregoing Motion of Standing Trustee to Dismiss Case was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

HESTER BAKER KREBS LLC,

U.S. Trustee, [Ustpreion10.in.ecf@usdoj.gov](mailto:Ustpreion10.in.ecf@usdoj.gov)

I further certify that on January 5, 2017, a copy of the foregoing Motion of Standing Trustee to Dismiss Case was mailed by first-class U.S. Mail, postage prepaid, and properly addressed to the following:

DAVID E. TALADAY  
7370 S. ELLENWOOD  
STREET  
TERRE HAUTE, IN  
47802

DIANA TALADAY  
7370 S. ELLENWOOD  
STREET  
TERRE HAUTE, IN  
47802

/s/ Donald L. Decker  
Donald L. Decker